

MEMORANDUM
OFFICE OF THE
COUNTY EXECUTIVE OFFICE
COUNTY OF PLACER

TO: Honorable Board of Supervisors

FROM: Thomas Miller, County Executive Officer
By: Mark J. Giacomini, Budget Analyst, *mjg*

DATE: July 11, 2006

SUBJECT: At-Large Election of Tahoe City Public Utility District Board Members

REQUESTED ACTION

That your Board adopts a resolution approving the Tahoe City Public Utility District (TCPUD) policy for the at-large election of directors to the TCPUD Board of Directors.

BACKGROUND

On May 24, 2006, under the authority provided in Public Utility Code Section 15961.5, the Tahoe City Public Utility District Board of Directors enacted Resolution 2006-17, adopting policy for the at-large election of directors to the Board of Directors of the TCPUD.

Public Utility Code Section 15961.5 provides that, "...the candidates for director of any district that is wholly or partially within the County of Placer may be elected at large...upon adoption of a resolution or ordinance to that effect by the Board of Directors of the district, subject to approval of the Board of Supervisors...".

The Tahoe City PUD Board of Directors is requesting your Board's approval of the election at-large of TCPUD directors.

FISCAL IMPACT

Approval of this item will have no direct impact on the General Fund.

ATTACHMENTS

Placer County Resolution
TCPUD Resolution 2006-17
Public Utility Code Section 15961.5

Before the Board of Supervisors County of Placer, State of California

In the matter of:
**A RESOLUTION APPROVING TAHOE CITY
PUBLIC UTILITY DISTRICT POLICY ADOPTING
AT-LARGE ELECTION OF DIRECTORS
TO THE BOARD OF DIRECTORS**

Resol. No: _____
Ord. No: _____
First Reading: _____

The following RESOLUTION was duly passed by the Board of Supervisors of the
County of Placer at a regular meeting held July 11, 2006
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

WHEREAS, Section 15961.5 of the California Public Utilities Code allows for any public utility district located in whole, or in part, within Placer County to provide by resolution or ordinance for the at-large election of all of its directors subject to approval by the Board of Supervisors of Placer County; and

WHEREAS, Tahoe City Public Utilities District has adopted Resolution Number 2006-17 providing for the at-large election of all directors to the TCPUD Board of Directors;

NOW, THEREFORE, BE IT RESOLVED, that the Placer County Board of Supervisors does hereby approve the Tahoe City Public Utility District policy for the at-large election of directors to the TCPUD Board of Directors.

RESOLUTION NUMBER 2006- 17

**POLICY ADOPTING AT-LARGE ELECTION OF DIRECTORS TO THE
BOARD OF DIRECTORS OF TAHOE CITY PUBLIC UTILITY DISTRICT**

TAHOE CITY PUBLIC UTILITY DISTRICT

WHEREAS, the Tahoe City Public Utility District Board of Directors consists of five directorships, each of which is a separate political office, individually named Seat Number 1, Seat Number 2, Seat Number 3, Seat Number 4 and Seat Number 5; and

WHEREAS, candidates for all open director Seats are currently nominated and elected at-large, which, as used within this resolution and Sections 15951 et seq. of the Public Utilities Code, means that a nominee can be any qualified resident and elector of the District and that all qualified electors of the District may vote for every director Seat; and

WHEREAS, the general provisions of the Public Utilities Code, Sections 15951 et seq., call for one director to be nominated and elected by and from each territorial unit within Tahoe City Public Utility District, each territorial unit consisting of, respectively, the non-incorporated areas within Placer and El Dorado Counties; and

WHEREAS, Section 15961.5 was added to the Public Utilities Code in 1994 and, notwithstanding any other provision of law, allows for any public utility district located in whole, or in part, within Placer County to provide by resolution or ordinance for the at-large election of all of its directors, if approved by the Board of Supervisors of Placer County; and

WHEREAS, Tahoe City Public Utility District has conducted past at-large elections of directors consistent with Section 15961.5 of the Public Utilities Code but does not have a resolution or ordinance expressly adopting this election policy;

NOW, THEREFORE, the Board of Directors, by the vote set forth below, does resolve as follows:

1. The Board of Directors of Tahoe City Public Utility District shall consist of five directors elected at-large from nominated candidates who are both qualified residents and electors of the District.
2. Each separate directorship shall be designated Director-at-large Number 1, Director-at-large Number 2, Director-at-large Number 3, Director-at-large Number 4 and Director-at-large Number 5.
3. Nominees for director shall specify the individual director Seat they are seeking in the election.
4. Except as expressly provided herein, the provisions of the Public Utilities Code Sections 15951 et seq. and the Uniform District Election Law shall govern the election of directors to the Tahoe City Public Utility District Board of Directors.

ADOPTED on this 24th day of May, 2006 by the following vote:

AYES:	Henrikson, Atchley, Reinkens, Treabess
NOES:	None
ABSTAIN:	None
ABSENT:	None

TAHOE CITY PUBLIC UTILITY DISTRICT

Dated:




President, Board of Directors

CERTIFICATE OF SECRETARY

I, GINGER CHARLTON, do certify that I am the Clerk to the Board of Directors of Tahoe City Public Utility District. The foregoing Resolution is a true and correct copy of the original Resolution adopted by the Board of Directors and on file at the District Office.

I declare under penalty of perjury that the foregoing is true and correct.

DATED:



GINGER CHARLTON, Clerk, Board of Directors
Tahoe City Public Utility District

PUBLIC UTILITIES CODE
DIVISION 7. Public Utility District Act
CHAPTER 3. Internal Organization of Districts
ARTICLE 1. Election of Directors

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Pub Util Code § 15961.5 (2006)

§ 15961.5. Election of candidates for director of district in County of Placer; Boundaries of wards

(a) Notwithstanding any other provision of the division, the candidates for director of any district that is wholly or partially within the County of Placer may be elected at large, by wards, or from wards upon adoption of a resolution or ordinance to that effect by the board of directors of the district, subject to approval of the board of supervisors, or as a part of a change of organization or a reorganization conducted pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3 (commencing with Section 56000) of Title 5 of the Government Code.

(b) A resolution or ordinance that divides a district into wards adopted pursuant to subdivision (a) shall describe the boundaries of the wards so that the wards shall be as nearly equal in population as may be.

(c) As used in this section:

(1) "By wards" means the election of members of the board of directors by voters of the ward alone.

(2) "From wards" means the election of members of the board of directors who are residents of the ward from which they are elected by the voters of the entire district.

History:

Added Stats 1994 ch 939 § 20 (SB 1393), effective September 27, 1994, operative January 1, 1995.
Amended Stats 2003 ch 296 § 40 (SB 66).

Notes:

1. Amendments
2. Note
3. Note

2003 Amendment:

(1) Amended subd (a) by substituting (a) "Cortese-Knox-Hertzberg" for "Cortese-Knox"; and (b) "2000" for "1985".

2. Note:

Stats 1994 ch 939 provides:

SECTION 1. This act shall be known and may be cited as the Local Government Omnibus Act of 1994. The Legislature finds and declares that Californians desire their governments to be run efficiently and economically and that public officials should avoid waste and duplication whenever possible. The Legislature further finds and declares that it desires to reduce its own operating costs by reducing the number of separate bills affecting related topics.

Therefore, in enacting this act, it is the intent of the Legislature to combine several minor, noncontroversial statutory changes relating to public agencies into a single measure.

3. Note:

Stats 2003 ch 296 provides:

SECTION 1. (a) This act shall be known and may be cited as the Local Government Omnibus Act of 2003.

(b) The Legislature finds and declares that Californians desire their government to be run efficiently and economically, and that public officials should avoid waste and duplication whenever possible. The Legislature further finds and declares that it desires to control its own operating costs by reducing the number of separate bills. Therefore, it is the intent of the Legislature in enacting this act to combine several minor, noncontroversial statutory changes relating to local government into a single measure

